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2 Danville, CA 94506
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4 PLAINTIFF *pro se*
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 _____
11 **OLIVER HILSEN RATH,**
12 **Plaintiff,**
13 **v.**
14 **UNITED STATES OF AMERICA,**
15 **Defendant.**
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) Case No. C07-05100 WHA
) Related to Case No. CR 03-00213 WHA
) Related to Case No. C03-03252 WHA
) Related to Case No. C07-02782 WHA
) Related to Case No. C07-05374 WHA
)
) **JUDICIAL NOTICE RE ASSETS FROZEN**
) **BY THE SWISS GOVERNMENT IN**
) **SWITZERLAND, POLAND AND**
) **BELGIUM**
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) Judge: Hon. William H. Alsup
)

1 Oliver Hilsenrath hereby brings the following related information to the attention of the
2 Court in this current case.

3 On October 30, 2007 a mandatory settlement conference in Case 3:03-cv-03252-WHA
4 Securities and Exchange Commission v. Hilsenrath et al took place with the following
5 participants:

- 6 1. Hon. Judge Joseph C. Spero
- 7 2. Oliver Hilsenrath - Defendant
- 8 3. Hana Hilsenrath - For Defendant
- 9 4. Laurel Beeler - USA
- 10 5. Marc Fagel - SEC
- 11 6. John Yun - SEC
- 12 7. Thomas Eme - SEC

13 At the conference the SEC and Defendant voiced willingness to settle the case¹ pending
14 the arrival of part of the funds to be repatriated according to the settlement of Case No. CR 03-
15 00213 WHA².

16 Following that conference, three notarized letters were sent to the Swiss, Polish and
17 Belgium governments (see Attached Hilsenrath letters). The letters were sent to the three nation's
18 embassies in Washington and through diplomatic channels via US DOJ/OIA respective desks.
19

20 The letters were also sent to:

- 21 1. Banks UBS and CS in Switzerland;
- 22 2. Bank Nordea in Poland;
- 23 3. The whereabouts of the seized assets in Belgium are unknown.

24 No replies were received to date.
25

26 ¹ With exception of the issue of an officers' and directors' bar

27 ² Assets frozen by the order of the Swiss government in Switzerland, Poland and Belgium
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2 Dated: December 13, 2007

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4 Respectfully submitted,

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6 OLIVER HILSEN RATH

7 Plaintiff *pro se*

8
9 /s/ Oliver Hilsenrath

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ATTACHMENT

Oliver Hilsenrath
822 Eastbrook Ct. Danville, CA 94506
Tel: +1 925 212 6299, Fax: +1 925 736 7571
Email: OHLX@sbcglobal.net

November 9, 2007

THE FEDERAL ATTORNEY GENERAL OF SWITZERLAND
Bundesrain 20, 3003 Bern,
Switzerland,
Tel. 011-41-31-322-4310,
Fax 011-41-31-322-5380

Dear Madam or Sir,

My name is Oliver Hilsenrath; I am a scientist by profession and a resident and citizen of both Israel and the United States.

In 2004 my family's bank accounts held with banks Credit Suisse in Zurich and UBS in Basel were frozen by order of the Swiss government on allegations that the funds held in the two banks were the result of a crime in the United States, in the context of US Wireless Corporation of San Ramon, California.

The US government and the US Federal Court have concluded in 2005 and 2006 that the aforementioned funds are not the result of criminal acts.

The US government and the US Court concluded that those are legitimate assets.

The Court issued two such orders in 2006 [Doc 302 and 309 in case number 03-00213WHA/Northern District of California].

To the best of my knowledge, the accounts with the Swiss banks are still blocked.

In 2005, I have traveled twice to Switzerland, for one week each time, and answered all questions that the Swiss authorities had on the subject matter. I stayed extra days in Bern on each trip to assure that the Swiss authorities have no further questions.

I further offered to travel to Switzerland for a third time in May 2006 if the Swiss authorities had more questions, but I was told that such trip would not be necessary.

Therefore, I wish to inquire at this time whether there is any pending suspicion or investigation by the Swiss authorities in respect to me, or in respect to the funds in the accounts at Credit Suisse and UBS.

If such suspicion or investigation still exists please let me know what I can do to help bring such suspicion or investigation to an end and when such investigation will be concluded.

If the suspicion or investigation by the Swiss authorities were in fact concluded and the Swiss authorities agree with the US government and the Federal Court in California that the said assets and funds were/are legitimate, then please confirm the above in writing to me and to the US government, and thereafter please remove the freeze on the above accounts.

This is of particular importance now in view of a significant payment due to the US government to be paid from the above Swiss accounts.

Sincerely,


OLIVER HILSEN RATH

See Notarial
Certificate
(TB)

ACKNOWLEDGMENT

State of California
County of Contra Costa

On November 14th 2007 before me, Todd Bateman, Notary Public,

personally appeared Oliver Hilsenrath

~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be
the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and
acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized
capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~,
or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal.

Signature Todd Bateman



(Seal)

Oliver Hilsenrath
822 Eastbrook Ct. Danville, CA 94506
Tel: +1 925 212 6299, Fax: +1 925 736 7571
Email: OHLX@sbcglobal.net

November 9, 2007

Belgian Ministry of Justice - FOD Justitie
Waterloolaan 115 – 1000 Brussels
Belgium
Fax : 02/ 542 70 39
Tel : 02/542 69 78 - 02/542 66 97 - 02/542 69 10

Dear Madam or Sir,

My name is Oliver Hilsenrath; I am a scientist by profession and a resident and citizen of both Israel and the United States.

I am informed that the Belgian government have confiscated in 2005 funds and assets belonging to my family and me. Those assets were confiscated under suspicion that the assets were the proceeds of a crime in the United States specifically related to US Wireless Corporation.

Since then, the US government and the US Federal Court have determined that the aforementioned funds were legitimate.

The above conclusion is articulated in two final Court Orders [Doc 302 and 309 in case number 03-00213WHA/Northern District of California].

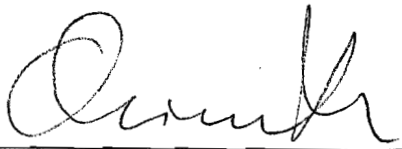
As the United States, the jurisdiction in which the alleged acts occurred, have concluded that the assets are legitimate and as we assume that we are under no suspicion or investigation by Belgian authorities, please let us know how we can regain control of our assets.

If however the Belgian authorities have undertaken their own investigation into the US Wireless matter, please let me know how I can assist the Belgian authorities to expedite and conclude such investigation.

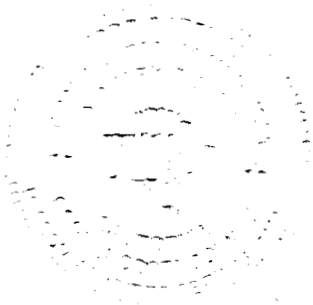
If in fact such investigation was undertaken and concluded, please confirm the fact in writing to both the US government and me. If such investigation is still ongoing, please let us know when will it be concluded.

This is of particular importance and urgency as there is a significant payment due to the US government and the assets presently held by the Belgium government are required for that purpose.

Sincerely,



OLIVER HILSENATH



See Notarial
Certificate
(TB)

ACKNOWLEDGMENT

State of California
County of Contra Costa

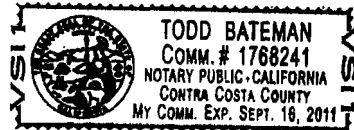
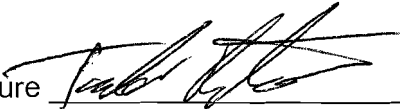
On November 14th 2007 before me, Todd Bateman, Notary Public,

personally appeared Oliver Hilsenrath

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the person ~~(s)~~ whose name ~~(s)~~ is ~~/are~~ subscribed to the within instrument and
acknowledged to me that he ~~/she/they~~ executed the same in his ~~/her/their~~ authorized
capacity ~~(ies)~~, and that by his ~~/her/their~~ signature ~~(s)~~ on the instrument the person ~~(s)~~,
or the entity upon behalf of which the person ~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal.

Signature



(Seal)

Oliver Hilsenrath
822 Eastbrook Ct.
Danville California 94506
Tel: +1 925 212 6299,
Fax: +1 925 736 7571
Email: OHLX@sbcglobal.net

November 8, 2007

Waclaw WIECHNIAK - Prosecutor
Office of the Prosecutor
Krakow – Poland

Dear Mr. Wiechniak,

My name is Oliver Hilsenrath; I am a scientist by profession and I am a resident and citizen of both Israel and the United States.

I am a founder and minority shareholder of Kosmos PLC, a Polish corporation in the business of reconstruction. My partners in this company are Polish and Israeli citizens. Kosmos's business was reconstruction of Victorian buildings in Historic Krakow.

I believe that Kosmos was a well run, successful and profitable company. I believe that Kosmos brought its small tribute to the new look of modern Poland, as did many other construction firms lead by my fellow Israeli countrymen.

In summer 2005, on your orders, my bank account at Nordea Bank in Krakow was frozen.

The Polish government never contacted me about the freeze of the account. I am however informed that the freeze is related to allegations that the funds invested by me in Kosmos are the result of a crime in the United States, in the context of my former company US Wireless Corporation.

The US government and the US Federal Court have concluded in 2005 and 2006 that the funds invested by me in Poland are not the result of criminal acts.

The US government and the US Court concluded that those are legitimate assets.

The Court issued two such orders in 2006 [Doc 302 and 309 in case number 03-00213WHA/Northern District of California].

To the best of my knowledge, my account at Nordea bank is still blocked.

Therefore, I wish to inquire whether there is any pending suspicion or investigation by the Polish authorities in respect to me, my partners, my activities in Poland or elsewhere, or the funds in the above account at Nordea bank.

If such suspicion or investigation still exists please let me know what can I do to help bring such suspicion or investigation to an end, as well as when is such investigation expected to be concluded.

If the suspicion or investigation by the Polish authorities were in fact concluded and the Polish authorities agree with the US government and the Federal Court in California that the assets and funds were/are legitimate, then please confirm the above in writing to me and to the US government and thereafter please remove the freeze on the above account.

This is of particular importance now in view of a significant payment due to the US government to be paid from the above Nordea bank account.

Further, if the Polish authorities have concluded their possible suspicions, investigations or other objections to my activities in Poland, I have the intention to renew my activity in Kosmos as soon as possible.

Sincerely,



OLIVER HILSENATH

See Notarial
Certificate
(TB)

ACKNOWLEDGMENT

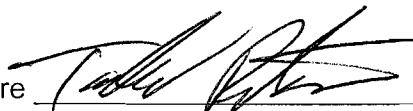
State of California
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capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~,
or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal.

Signature 



(Seal)